**8UNITED STATES DISTRICT COURT** SOUTHERN DISTRICT OF NEW YORK ----X

ELIJAH CHISOLM,

08 CIV. 4694 Judge Berman

Plaintiff,

- against -

DEMAND FOR A TRIAL BY JURY

PRODUCERS RICE MILL, INC. and CHICAGO SWEETENERS, INC.,

Defendants.

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## SIRS:

PLEASE TAKE NOTICE, that plaintiff, ELIJAH CHISOLM, pursuant to FRCP Rule 38(b) hereby demands a trial by jury of all issues in this matter.

Dated: New York, N.Y. May 22, 2008

Respectfully submitted,

ALTIER & VOGT, LLC

Attorneys for Plaintiff

PHILIP P. VOGT () PV0377

450 Seventh Avenue

New York, New York 10123

212-564-9090

TO: EUSTACE & MARQUEZ

Attorneys for Defendant TOTAL SWEETNERS, INC. d/b/a CHICAGO SWEETENERS, INC.

1311 Mamaroneck Avenue, 3rd floor White Plains, NY 10605 914-989-6650 - Fax: 914-989-6638 Attn: John R. Marquez (JM3623)

PRODUCERS RICE MILL, INC.

P.O. Box 1248 Stuttgart, AR 72160 STATE OF NEW YORK )

OUNTY OF NEW YORK )

Michael Kelly, being duly sworn, deposes and says:

I am not a party to this action; I am over 18 years of age;
I reside in Morris County, New Jersey.

On May 22, 2008, I served the within DEMAND FOR A TRIAL BY JURY, upon the following:

## **EUSTACE & MARQUEZ**

Attorneys for Defendant TOTAL SWEETNERS, INC. d/b/a CHICAGO SWEETENERS, INC.

1311 Mamaroneck Avenue, 3<sup>rd</sup> floor White Plains, NY 10605 914-989-6650 - Fax: 914-989-6638 Attn: John R. Marquez (JM3623)

## PRODUCERS RICE MILL, INC.

P.O. Box 1248 Stuttgart, AR 72160

the said addresses being designated by said attorneys for that purpose, by depositing a true copy of same enclosed in a postpaid, properly addressed wrapper in an official depository under the exclusive care and custody of the United States Postal Service, within the State of New York.

Sworn to before me this 22nd day of May 2008

Notary Public

Notary Public, State of New York
No. 02-4733800
Qualified in Nassau County 2
Commission Expires Dec. 31, 78